

BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

IN THE MATTER OF ENFORCEMENT)
ACTION AGAINST)
)
C. Foster Rose, Jr.)
)
Respondent.)
_____)

PDC CASE NO: 04-419

STIPULATION OF FACTS
AND VIOLATIONS

C. Foster Rose, Jr. (Respondent) and the Public Disclosure Commission Staff (Staff) jointly submit this Stipulation of Facts and Violations for Commission consideration in lieu of a full enforcement hearing before the Commission. The parties agree that, pursuant to RCW 42.17.360, the Commission has the authority to accept, decline, or to suggest modifications to this Stipulation. In the interest of avoiding further proceedings, the parties enter this Stipulation.

Facts

Both parties agree to the following facts:

1. On April 10, 2003, C. Foster Rose, Jr. filed a Candidate Registration Statement (PDC Form C-1) declaring his candidacy for the office of Mayor of Bellingham for the 2003 election. Mr. Rose was a “candidate” as defined in RCW 42.17.020. Mr. Rose had previously served two terms as a Bellingham City councilman from 1986 to 1994, and had been a candidate for the Bellingham City Council on three occasions.

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2. Mr. Rose lost in the primary election. Incumbent Mayor Mark Asmundson and Brett Bonner advanced to the general election. Mayor Asmundson defeated Mr. Bonner in the general election.
3. On September 19, 2003, shortly after being defeated in the primary election, Mr. Rose offered to endorse Mr. Bonner. However, that endorsement was conditioned on Mr. Bonner's hiring Mr. Rose as deputy mayor of the City of Bellingham, should Mr. Bonner be elected. Mr. Bonner informed Mr. Rose that he could not offer him the deputy mayor position, should he be elected.
4. After speaking with Mr. Bonner, Mr. Rose then offered to endorse Mayor Asmundson. That endorsement was also conditioned on Mayor Asmundson's hiring Mr. Rose as deputy mayor of the City of Bellingham, should Mayor Asmundson be re-elected. Mayor Asmundson did not respond to Mr. Rose's solicitation.
5. On October 16, 2003, Mr. Rose agreed to endorse Mayor Asmundson, and sent a letter to the editor of the Bellingham Herald stating his endorsement.

Violation

Respondent and Staff agree that based upon the facts stipulated above, the Respondent committed two violations of RCW 42.17.770 by soliciting from two candidates the paid position of deputy mayor of the City of Bellingham, as a condition for his endorsement.

The Respondent agrees to fully comply in good faith with all provisions of Chapter 42.17 RCW in the future.

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Respectfully submitted this 26th day of May, 2004.

/s/

Vicki Rippie, Executive Director

Date

/s/

C. Foster Rose, Jr.

Date